IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :21.11.2007

C O R A M :

THE HONOURABLE MR.JUSTICE P.JYOTHIMANI

WRIT PETITION No.35447 of 2007

S.Annammal ... Petitioner

-vs-

The Tahsildar
Purasaiwalkam
Perambur Taluk
Chennai 600 011. ..Respondent

Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus as stated therein.

For petitioner :: Mr. Vel Murugan

For respondents :: Mr. N.Senthilkuimar,GA

..

ORDER

On direction, Mr.N.Senthilkumar, learned Government Advocate, takes notice for the respondent.

2. The writ petition is filed for direction against the respondent to entertain the representation sent by the petitioner dated 20.07.2007, to issue a new or duplicate legal heir certificate over the distorted legal heir certificate, which she already possesses.

3. It is the case of the petitioner that after the death of her husband, she approached the respondent for the purpose of issuance of legal heir certificate since the legal heir certificate which was given in the year 1982 was in a distorted condition and therefore, the Transport Corporation in which she was to join has refused to take the same. Under these circumstances, the petitioner has applied to the respondent on 20.07.2007, to issue a new or duplicate legal heir certificate and to issue such direction to the respondent, she has filed the present writ petition.

4. Heard the learned counsel for the petitioner as well as the respondent.

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5. It is seen from the typed set of papers that the earlier legal heir certificate issued by the Tahsildar in the year 1982 is in a distorted condition and therefore, it is the duty on the part of the Tahsildar to find out from the records whether such certificate was earlier issued, and if so, after conducting proper enquiry, the respondent Tahsildar, is directed to issue fresh legal heir certificate on the basis of the representation of the petitioner dated 20.07.2007, within a period of four weeks from the date of receipt of copy of this order.

With the above direction, the writ petition is disposed of. No costs.

kh

Sd/-
Asst. Registrar.

/true copy/

Sub Asst. Registrar.

To

The Tahsildar
Purasaiwalkam
Perambur Taluk
Chennai 600 011.

1 cc to Government Pleader, SR.69214
1 cc to Mr.D.O.Kaviyanathan,Advocate, SR.68942

sj (co)

dv/29.11.

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